

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JANELL RENE BUTLER,

Plaintiff,

No. 3:17-cv-00498-JE

v.

ORDER

NEUBERGER BERMAN
MANAGEMENT, LLC,

Defendant.

HERNÁNDEZ, District Judge:

Magistrate Judge Jelderks issued a Findings and Recommendation [12] on October 26, 2017, in which he recommends that this Court dismiss Plaintiff's amended complaint with prejudice. Judge Jelderks also found that any appeal of this Order would be frivolous and not taken in good faith. He, therefore, recommends revoking Plaintiff's *in forma pauperis* status. The matter is now before the Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, the Court is relieved of its obligation to review the record *de novo*. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *see also United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate Judge's report to which objections have been made). Having reviewed the legal principles *de novo*, the Court finds no error.

CONCLUSION

The Court ADOPTS Magistrate Judge Jelderks' Findings & Recommendation [12]. This action is dismissed with prejudice, and Plaintiff's *in forma pauperis* status is revoked as any appeal of this dismissal would be frivolous and not taken in good faith.

IT IS SO ORDERED.

DATED this 29 day of December, 2017.



MARCO A. HERNÁNDEZ
United States District Judge